

IPSWICH PLANNING BOARD MEETING MINUTES
Thursday, JUNE 4, 2015, 7:30 p.m.

Pursuant to a meeting notice posted by the Town Clerk and delivered to all Board members, a meeting of the Ipswich Planning Board was held on Thursday, June 4, 2015 in Room A, 2nd floor of Town Hall.

Board members present: Heidi Paek, Kathleen Milano, Cathy Chadwick, Keith Anderson and associate member Carolyn Britt.

Not Present: Jay Stanbury

Staff present: Senior Planner, Ethan Parsons

Paek convened the meeting at 7:34 pm with a quorum present.

CITIZENS' QUERIES

None

CONSENT ORDER

a. ANR Old North Burial Ground

Documents:

Approval Not Required Plan, Old North Burial Ground (#63 High Street). Prepared by Donohoe Survey, Inc., May 28, 2015

b. ANR 76-78 Turnpike Road

Documents:

Approval Not Required Plan, 76-78 Turnpike Road. Prepared by Control Point Associates, Inc., May 14, 2015

c. Reappoint Mitchell Lowe to Design Review Board for another 3 year term

MOTION: Chadwick moved to approve the consent order, Anderson seconded. The Board voted unanimously in favor.

NEW PUBLIC HEARING Willowdale Circle: Request by S&K Homes LLC for the Board to confirm its prior Special Permit and Subdivision Approval decisions and to extend the time to complete the 5 Roberts Road (Willowdale Circle) subdivision and to renew all approvals.

Paek read the legal notice. The Willowdale Circle subdivision was initially approved in 2004, yet never built. Attorney Jill Mann, representing the applicant, appeared before the Board. Mann explained that prior actions of the Board had extended the decisions, but these had not been appropriately recorded. She asked the Board to extend the approvals once more and to ensure recording. The owners understand and acknowledge all requirements and are not seeking to modify the plans. Paek stated that this matter is primarily an administrative one.

Chadwick asked if the new regulations for the fire lane width would effect this subdivision. The subdivision is a circle, and the road width complies with the fire code. Chadwick asked for confirmation that the roadway maintenance, plowing and trash removal would be the overseen by the homeowners

association and not the town. Britt wanted to know if they were aware of the affordable housing trust payment needed, and it was confirmed that they were prepared to make the appropriate payment.

James Norcross, Rowley: As an owner of adjacent, landlocked property, he asked whether a corridor could be maintained to ensure future access to his property. Paek asked how he accesses his property now. He said he used to walk through undeveloped parcels in Rowley, but there are houses built there now. Paek confirmed that the property he owns has no frontage, and she stated that his issue was a private matter which the Ipswich Planning Board could not resolve.

Pat Coyne, 9 Randall Road: Coyne expressed concern that construction might last 18 months, and he stated that there is already a lot of traffic in the neighborhood right now, and the speeds are excessive. The road is already potholed and heavy vehicles could make the situation worse. Paek explained that there are requirements in the Special Permit include limited construction hours and the area being appropriately tended to and cleaned up by the applicant. Parsons stated that public roads are engineered to support heavy vehicles.

Debbie Finkst, 10 Randall Road: Finkst stated concern about the water table. Her property has been flooded 3 times recently, and the water rises each year. There are pipes in a pond nearby, which appear to have never been cleaned out. She also fears increased traffic in the area and would like to see the road become a permanent one way. Paek explained that traffic direction patterns on roadways are not something the Planning Board can decide, but she asked Staff to note the request and raise the matter at a department head meeting. Parsons and Paek commented that the subdivision meets storm water drainage requirements and was peer reviewed. Furthermore, the new buildings are proposed to be at a lower elevation than the road.

Jeff Weisberg, 4 Chestnut Street: Weisberg asked about the financial stability of S&K Homes LLC. He is concerned that the new subdivision could begin construction, but not be completed. Paek explained that an applicant's financial status is beyond the Planning Board's purview. Mann offered that the loan has some conditions, and the lender is monitoring. Weisberg stated the roads are already stressed and construction vehicles will add damage. Paek reiterated that road conditions are overseen by the Department of Public Works. Parsons explained that if there is a road that needs an upgrade, the burden is on the Town. If damage by a specific entity can be proven, the Town has recourse.

Paek summarized her view that this matter is primarily administrative, in order to extend and record prior decisions, and that neither the Applicant nor the Board was seeking to modify the previously approved subdivision plans.

MOTION: Milano moved to extend the Special Permit and Subdivision Approval decisions of 5 Roberts Road. Anderson seconded. The motion passed unanimously.

Documents:

S&K Homes Request for extension of Willowdale Circle Subdivision approval.

- i. Letter from Attorney Jill Mann to Planning Board, dated May 5, 2015
- ii. Special Permit application dated May 5, 2015
- iii. Open Space Preservation Zoning Special Permit, issued June 3, 2004
- iv. Definitive Subdivision Approval, issued December 7, 2006
- v. Willowdale Circle Definitive Subdivision Plans, prepared July 6, 2006; rev. September 21, 2006, November 15, 2006 & December 7, 2006
- vi. Sheet 1 Cover Sheet
- vii. Sheet 2 Notes and Waiver Requests
- viii. Sheet 3 Existing Conditions Plan
- ix. Sheet 4 Lotting Plan
- x. Sheet 5 Lotting Plan
- xi. Sheet 6 Layout, Materials and Landscape Plan
- xii. Sheet 7 Layout, Materials and Landscape Plan

- xiii. Sheet 8 Layout, Materials and Landscape Plan
- xiv. Sheet 9 Utilities and Grading Plan
- xv. Sheet 10 Utilities and Grading Plan
- xvi. Sheet 11 Utilities and Grading Plan
- xvii. Sheet 12 Street and Drainage Profiles
- xviii. Sheet 13 Details and Sections
- xix. Sheet 14 Details and Sections
- xx. Sheet 15 Trail Plan

Continued Public Hearing, 127 High Street: Request by George Delaney for a Special Permit to operate an establishment (Clamtown Classics) selling and/or renting new and/or used automobiles at 127 High Street.

Delaney appeared before the Board. He discussed the landscaping plans at length. Paek asked for a species list, which was not noted on the plan. Milano asked for the width of a landscape buffer. Delaney said it is roughly 10-15 feet from the existing asphalt. Paek asked about landscaping around the sign, which appeared to intrude on the right of way. The Board expressed reservations about the landscaping and the sign, including the internal illumination. In this case, a sign permit was properly issued, yet the timing of issuance was just prior to the special permit application. Ordinarily, the Board prefers to consider signage as part of the permitting process. The Board agreed that the sign could be internally lit, yet that hours of illumination would be restricted. The Board discussed not allowing the sign be lit past 9pm. They also asked for a detailed landscaping plan prior to occupancy and stated that the plan should include a species list and clarification of the property boundaries. Britt wanted to make the occupancy permit contingent on the plantings being installed. The Board agreed with this suggestion.

Carl Souza, 4 Currier Park: Souza asked about the chain link fence, including who owns and maintains it. The applicant responded that he does not believe he owns the fence. Paek asked for clarification of the property line and stated that the applicant was only responsible for maintaining his own property.

MOTION: Anderson moved to close the public hearing and Chadwick seconded. The motion passed unanimously.

Paek summarized the draft decision. Edits were requested. The opening paragraph will name the business, “Clam Town Classics.” Mention will be made of the existing easement that allows access to the building sited behind the Applicant’s property. The Board decided that instead of running with the land, the special permit will be for this applicant only.

MOTION: Anderson moved to approve the special permit for 127 High Street as presented in the draft decision and as edited. Chadwick seconded. The motion passed unanimously.

Documents:

- 127 High Street Special Permit Application
 - i. Revised Site Plan, submitted June 3, 2015
 - ii. Planting Images (2 sheets), submitted June 3, 2015

Continued Public Hearing, 110 County Road: Request by the YMCA of the North Shore, Inc. for Site Plan review for the proposed addition and site alterations.

Peter Pommersheim of Meridian Associates appeared before the Board. He confirmed that the peer review comments have been received and a meeting with the landscape architect and the condominium association for Southgate Condominiums on Essex Road has taken place. This meeting resulted in some

changes to the planting plan. There have also been some minor changes to the pool deck and splash park. Chris Doktor walked the Board through the changes to the plan. The deep end and shallow end of the pool were flipped. This was done so that the splash park and shallow end of the pool were near each other, so parents can more easily see children in both places. Britt asked whether the changes encroached on the soccer fields. Pommersheim said that the soccer fields are shown on the landscaping plan and are still in place. The landscaping plan was explained. Paek said that the permit should include a condition stating that the plants are cared for until they are established, and replaced if they don't survive the first season. The parking table has been revised; the requirements are met. There is currently a fence that surrounds 3 sides of the basketball court, 2 sides will be removed to allow for a new fire access lane. Anderson asked whether the court was designed to support the weight of a fire truck, and this was confirmed. He wanted to know if the parking spaces by the VFW were taken into account and marked. It was confirmed that no changes were being made in that area. Paek said that although the YMCA meets the parking required in the zoning bylaw, it seems to have insufficient space during times of high usage. Pommersheim explained that the YMCA knows they have to enforce the parking rules, and the spaces need to be better marked, including overflow parking near the driveway entrance. Paek asked for an update on the Conservation Commission's decision. The next meeting on that matter is June 17th. Parsons was asked to prepare a draft decision for the next meeting.

MOTION: Chadwick moved to continue the public hearing. Anderson seconded. The motion passed unanimously.

Documents:

110 County Road Site Plan Review Application

- i. Letter from Meridian Associates to Planning Board, dated June 1, 2015
- ii. Sensitivity Analysis Calculations; prepared by Meridian Associates, June 3, 2015
- iii. Stormwater Management Report; prepared by Meridian Associates, March 20, 2015, rev. June 3, 2015
- iv. Review Memo from Cammett Engineering; prepared May 29, 2015
- v. Permit Site Development Plans; prepared by Meridian Associates, March 30, 2015, rev. June 3, 2015
- vi. Sheet 1 Cover Sheet
- vii. Sheet 2 Record Conditions/Demolition Plan
- viii. Sheet 3 Site Grading Plan
- ix. Sheet 4 Site Utility Plan
- x. Sheet 5 Landscaping Plan
- xi. Sheet 6 Site Details
- xii. Outdoor Pool and Spray Deck Operating Details
- xiii. Chain Link Fence Details
- xiv. Photometric Plan; prepared by Philips, May 7, 2015
- xv. First Floor Plan; prepared by Olson Lewis + Architects, June 4, 2015
- xvi. Outdoor Pool & Spray Park Rendering; prepared by Olson Lewis + Architects, June 4, 2015

Continued Public Hearing, 3-5 Lakemans Lane/Pheasant Ridge Farm: Request by the Pheasant Ridge Farm Realty Trust for approval of a Definitive Subdivision Plan for a two lot subdivision at 3-5 Lakemans Lane.

Larry Graham of HL Graham Associates and legal representative for the applicants, Edward Smith, 50 Congress Street, Boston MA, appeared before the Board. Graham reviewed events of the past few weeks, including new conceptual plans subsequent to meeting with the fire chief about the new fire lane

regulations. Graham and Smith proposed that the Board accept a design, yet also allow the plans to not be built, unless triggered by specific events, such as an ownership transfer. At this time, the owners would like to minimize disturbance to the ground so they would prefer a paper street. Paek asked if in the original plan, the way with the hammerhead turnaround, was off the table. Graham discouraged this option, saying it would serve little real use, despite satisfying the regulation. Paek asked why they didn't want to build their new concept plan (3.5). Graham explained that the owners are seeking a means to protect their assets through subdivision of their lot, yet are reluctant to spend more months seeking Board approvals to build. A lot of time has already been spent. Parsons explained precedents for not using paper streets to create subdivisions, and said that they have been discouraged in Town. Smith said that this is a unique situation. Paek warned against setting a negative precedent. She said she had concerns about the paper street and about the current Board tying the hands of a future Board by making decisions without actual buildout at this time. Parsons explained that the Fire Chief is also opposed to paper streets. Anderson asked for the difference in pavement area in plan v. 3.5 vs. the initial definitive subdivision application. Graham stated that there would be 10-20% more pavement for v. 3.5. He explained that this is more costly because the grading up the hill. Chadwick preferred plan v. 3.5 over a paper road, and she shared concerns about impacting a future Board. Anderson didn't object to the paper road in this situation, yet is hesitant to leave the project un-reviewed by future boards that would provide input if build-out were to occur. He would like to know if the project can be built at this time. Paek said that if subdivision is desired, then plan it now and build it now. Milano agreed and said she objected to a paper street and to a plan that would delay build-out. Graham explained that the owners do not wish to build this at this time; their current access to the property works for them. Smith explained the commercial use is what is making this situation difficult and different. The owners do not want their home linked to the horse business, in part because of liability insurance reasons.

MOTION: Chadwick moved to continue the Public Hearing. Anderson seconded. The motion passed unanimously.

Documents:

Letter from H.L. Graham Associates to Planning Board, dated May 28, 2015
Concept Plan 1; prepared by H.L. Graham Associates, May 27, 2015
Concept Plan 3.5; prepared by H.L. Graham Associates, May 27, 2015

Continued Public Hearing, 9 Nags Head Road: Request by The Williams Family Realty Trust for Site Plan Review to construct an addition to an existing horse barn and to construct a new riding arena. *Continued at the Applicant's Request.*

MOTION: Chadwick moved to continue without discussion. Anderson seconded. The motion passed unanimously.

Continued Public Hearing, 144 County Road: Request by Nathan & Tami Stein for a Special Permit to convert accessory barn to residential unit in the RRA district. *Continued at the Applicant's Request.*

MOTION: Milano moved to continue the public hearing without discussion. Anderson seconded. The motion passed unanimously.

Zoning Amendment Process Update: Paek said the solar task force will meet next week. Anderson explained that on the Inn matter, he met with Parsons and Milano and they decided to develop a mission statement to summarize what they are doing and why. They would also like to devise questionnaires for

people who already run these types of establishments. Parsons reminded the Board of the target dates leading up to Town Meeting. The synopses of the zoning processes need to be ready for the next meeting, to keep everything on the Board's approved schedule.

NEW BUSINESS

None

ADJOURNMENT

MOTION: Milano moved to adjourn the meeting at 10:27pm. Anderson seconded. The motion passed unanimously.

Respectfully submitted,

Jennifer Dionne

The Board approved these minutes on August 13, 2015.